



City of East Palo Alto **ACTION MINUTES**

By: Minette Warren, Deputy City Clerk

**JOINT SPECIAL CITY COUNCIL/REDEVELOPMENT AGENCY MEETING/CC-RDA
BUDGET STUDY SESSION/CC-RDA BUDGET HEARING**

MONDAY, JUNE 29, 2009

Time: 6:30pm

Closed Session: 6:30

2415 UNIVERSITY AVENUE
Council Chamber

6:30 PM Joint Special City Council/Redevelopment Agency Closed Session

JOINT CLOSED SESSION CALL TO ORDER: 6:30

ROLL CALL: Martinez, Woods, Abrica (Evans-Excused Absence, Romero in late but prior to the start of the Closed Session)

I. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA

Action: Motion/Second: Woods/Abrica Vote: 3-0

2. JOINT CLOSED SESSION COMMUNITY FORUM: None

3. CLOSED SESSION

A. Potential/Pending Litigation Pursuant to Government Code Section 54986.9

1. Nicholson Company v. City of East Palo Alto (*Vincent Ewing, City Attorney*)

Adjournment

7:00p.m. Special City Council meeting

**Roll Call Present: Martinez, Romero, Woods, Abrica
Absent: Evans**

Approval of Agenda with Item 1A3 pulled for discussion by Vice Mayor David Woods

Action Motion/Second: Romero/Woods/ Vote: 4-0

Consent Calendar

1. City Council/Redevelopment Agency Resolutions/Actions

A. Resolution

1. **Reso # 2922** - Adopt a Resolution accepting and establishing the Risk Management Policy for the City of East Palo Alto and Authorize the City Manager to proceed with implementing the policy of the Council (*ML Gordon, Assistant City Manager*)

Recommendation: Adopt Risk Management Policy

2. **Council Reso #2923 & RDA Reso # 660** - Council and Agency Board consideration of a joint resolution of the City and Redevelopment Agency of East Palo Alto authorizing the City Attorney and Redevelopment Agency Counsel to cooperate with the California Redevelopment Association, the League of California Cities, other cities and counties in litigation challenging the constitutionality of any seizure by state government of **a)** the city's street maintenance funds, and **b)** redevelopment funds (*Alvin D. James, City Manager*).

Recommendation: Staff recommends that the Council/Agency Board approve the attached resolution

3. **Reso # 2924** - Adopt a resolution Authorizing the City Manager to amend the Retainer agreement with Shute, Mihaly, & Weinberger to draft revision to the Rent Stabilization Ordinance in an amount not to exceed \$10,000 (*Vincent C. Ewing, City Attorney*)

Recommendation: That Council Adopt the Resolution to amend the amend the Retainer in an amount not to exceed \$10,000

**Action taken after discussion and clarification on Item 1A3
Motion/Second: Romero/Abrica Vote: 3-1 (Woods-No)**

2. Budget Study Session (Continued from 06-23-09 Joint Special City Council/Redevelopment Agency Meeting/CC-RDA Budget Study Session/CC-RDA Budget Hearing/Meeting)

D. Public Works (Anthony Docto, Director, Public Works Department)

1. Administration Division
2. Engineering Division

Alvin James, City Manager, stated that Anthony Docto, Public Works Director was still out ill and presented the Administration Division and Engineering Division's 2009-2010 Fiscal Year's report for Mr. Docto.

3. Budget Hearing (Continued from 06/16/09 and 06/23/09 Special Meetings)

Adoption of the 2008-2009 Projected Budgets and the 2009-2010 Proposed Budgets (Stephanie Osaze, Director, Finance Department)

1. Adoption of the Resolutions – the Fiscal Year 2008-2009 Projected Budget and the Fiscal Year 2009-2010 Proposed Budget for the City and the Redevelopment Agency
2. Adoption of the Resolution – the Fiscal Year 2009-10 Appropriation Limit

Recommendation: That Council Open the Hearing, take testimony, Close the Hearing and Approve the Resolutions: **a) Reso # 2925** - Adopt the FY 2009-10 Appropriation Limit; **b) Council Reso # 2926** - the Projected 2008-2009 City and RDA Budgets, and; **c) RDA Reso # 661** - the 2009-2010 City and RDA Budgets

Open the Hearing: Motion/Second: Woods/Abrica Vote: 4-0

Staff and Public testimony taken

Close the Hearing: Motion/Second: Romero/Woods Vote: 4-0

Council commenced deliberations on the 2009/2010 Fiscal Year budget and discussed one of the pending issues previously placed before Council, the discussion of Executive Management's proposal to either totally alleviate the annual Cost of Living (COLA) wage adjustment, or delay it to the 2nd quarter of the 2009/2010 Fiscal Year and another proposal was suggested by Executive Management: To allow one half the Cola now and one half at a later date.

After hearing discussing the proposals and deliberating on those and testimony given by staff and the public during previous and current budget study sessions, Council decided unanimously to have the total COLA included/stay in the 2009-2010 Fiscal year budget. With this and other amendments, Council unanimously declared the budget ready for adoption.

Action to adopt Budget documents and all Resolutions on same with directed changes:

Item 1a: Motion/Second: Woods/Abrica Vote: 4-0

Item: 2b: Motion/Second: Woods/Romero Vote: 4-0

NOTE: *Public Comments May be Taken during the Session.
Please Keep Comments Limited to Agenda Items*

4. Oral Reports

A. Reports Out of Closed Session

Vincent Ewing, City Attorney reported out: Item Discussed, No Action Taken

5. Policy and Action Items

Prior to Staff report being given and discussion of the Policy and Action item by Council it was unanimously decided to table this item and carry it over to the 07/07/09 Regular City Council meeting.

Motion/Second: Woods/Romero Vote: 4-0

A. City Council

Contracts, Motions, Other Actions and Informational Reports

1. Metropolitan Transportation Commission (*Sean Charpentier, RDA Coordinator II, Redevelopment Agency*)
 - a) Approving a Metropolitan Transportation Commission (MTC) Grant Agreement for \$360,000 for the East Palo Alto Dumbarton Station Area Specific Plan)
 - b) Authorizing the City Manager to Execute a Contract between MTC and the City in an amount not to exceed \$645,781

Recommendation: That Council adopt the resolution

Unanimous decision by Council to adjourn meeting

ADJOURNMENT: 10:50p.m.